

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

THIS DOCUMENT RELATES TO:
All Actions

MDL No. 2419
Master Docket No.: 1:13-md-2419-FDS

Honorable F. Dennis Saylor

DEMAND FOR JURY TRIAL

MOTION FOR LEAVE TO EXCEED PAGE LIMIT

Plaintiffs' Steering Committee moves this Honorable Court for leave to file a response to the Tennessee Defendants' Motion to Dismiss Global Claims (Doc. 771 & 772) which exceeds the twenty (20) page limit provided by Local Rule 7.1(b)(4). As grounds for this motion, the PSC respectfully states as follows:

1. On January 6, 2014, the Tennessee Defendants filed a similar motion (Doc. 742) asking this Court for permission to file a brief exceeding the twenty (20) page limit. The Tennessee Defendants argued that their planned "global" motion to dismiss would request the dismissal of eight different claims. The Tennessee Defendants argued that such could be divided into eight (8) separate motions of twenty (20) pages each, and they requested permission to file a "master" brief addressing all issues.

2. This Court granted permission to the Tennessee Defendants to file a brief exceeding the twenty (20) page limit (Doc. 746). The Tennessee Defendants then filed an eight (8) page motion (Doc. 771) and a seventy-four (74) page brief (Doc. 772) in support of that motion.

3. The issues raised in the Tennessee Defendants' seventy-four (74) page brief require thorough response. It is impossible for the PSC to respond to all of those issues in

twenty (20) pages. However, the PSC is very mindful of this Court's preference for shorter briefs.

4. In order to respond effectively to the numerous legal issues raised in the Tennessee Defendants' seventy-four (74) page brief, the PSC requests permission to file a brief not to exceed forty-five (45) pages.

5. Basic precepts of fundamental fairness require that injured tort victims be afforded the same opportunity to be heard as is afforded the Tennessee Defendants.

6. The Tennessee Defendants do not oppose this motion.

Date: March 19, 2014

Respectfully submitted:

/s/ J. Gerard Stranch, IV

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Plaintiffs' Steering Committee

CERTIFICATE OF SERVICE

I, J. Gerard Stranch, IV, hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Date: March 10, 2014

/s/J. Gerard Stranch, IV
J. Gerard Stranch, IV